

REMARKS

At the time of examination, Claims 5-7 were pending in the above-identified patent application. The Official Action rejected Claims 5 and 6¹ under 35 U.S.C. §102(b) as being anticipated by Japanese Patent Publication No. 11-023886 to Saburo Imamura, et al. and its machine-assisted English translation. The Official Action confirms, however, Claim 7 would be allowable if rewritten to include the recitations of Claim 5 from which it originally depended. In order to advance the application to allowance in the most expeditious manner and without comment upon the propriety, or lack thereof, of the rejection of Claims 5 and 6, Claims 5 and 6 have been canceled (thereby mooted the rejection of these claims) and Claim 7 has been amended to include the recitations of Claim 5 from which it originally depended. As such, Claim 7 should now be in condition for immediate allowance. Accordingly, Applicants respectfully request reconsideration of the present application and allowance of the sole remaining claim, that is, Claim 7.

¹ It is noted that the Official Action initially indicates that Claims 5 and 7 were rejected as being anticipated by the Imamura '886 publication. However, the remainder of the Official Action clarifies that it is, in fact, Claims 5 and 6 (not Claims 5 and 7) that are rejected as being anticipated by the Imamura '886 publication.


Appl. No.: 10/803,446
Amdt. dated August 31, 2006
Reply to Office Action of June 2, 2006

CONCLUSION

In view of the amendments to the claims and the foregoing remarks, it is respectfully submitted that all of the claims of the present application are in condition for immediate allowance. It is therefore respectfully requested that a Notice of Allowance be issued. The Examiner is encouraged to contact Applicants' undersigned attorney to resolve any remaining issues in order to expedite examination of the present application.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,



Guy R. Gosnell
Registration No. 34,610

Customer No. 00826
ALSTON & BIRD LLP
Bank of America Plaza
101 South Tryon Street, Suite 4000
Charlotte, NC 28280-4000
Tel Charlotte Office (704) 444-1000
Fax Charlotte Office (704) 444-1111

**ELECTRONICALLY FILED USING THE EFS-WEB ELECTRONIC FILING SYSTEM OF THE
UNITED STATES PATENT & TRADEMARK OFFICE ON August 31, 2006 by Gwen Frickhoeffer.**